

**MILMAN LABUDA LAW GROUP PLLC**

3000 MARCUS AVENUE  
SUITE 3W8  
LAKE SUCCESS, NY 11042

TELEPHONE (516) 328-8899  
FACSIMILE (516) 328-0082

<sup>†</sup> Also admitted in New Jersey

Author: Joseph M. Labuda – Member <sup>†</sup>  
Direct E-Mail Address: [joe@mllaborlaw.com](mailto:joe@mllaborlaw.com)  
Direct Dial: (516) 303-1380

August 12, 2021

**VIA ECF**

United States District Court  
Eastern District of New York  
Attn: Hon. Eric Komitee, U.S.D.J.  
225 Cadman Plaza East  
Courtroom 6G North  
Brooklyn, NY 11201-1804

**Re: Williams v. The Russo's Payroll Group, Inc., et al.**  
**Case No.: 1:21-cv-2922 (EK) (CLP)**  
**MLLG File No.: 75-2021**

Dear Judge Komitee:

This office represents Defendants The Russo's Payroll Group, Inc. d/b/a Russo's on the Bay (hereinafter "Corporate Defendant"), Frank Russo, Jr. ("Frank"), and Giuseppe "Joe" Vacca<sup>1</sup> ("Giuseppe") (Frank and Giuseppe collectively the "Individual Defendants") (the Corporate Defendant and the Individual Defendants collectively hereinafter the "Defendants") in the above-referenced case.

Defendants write to respectfully request leave to file excess pages of their anticipated letter requesting a pre-motion conference in anticipation of their motion to dismiss the Complaint. Pursuant to ¶ III(B)(1) of this Court's Individual Practices and Rules, such letter motions are not to exceed three (3) pages. Defendants respectfully request leave to file up to four (4) pages, and submit that the additional page requested is necessary to address significant aspects of Defendants' separate arguments in support of their anticipated motion to dismiss, and that same will aid the Court in making a determination on the request.

Accordingly, Defendants respectfully submit that good cause exists for this Court to grant the requested relief.

Defendants thank this honorable Court for its time and attention to this case.

---

<sup>1</sup> This office does not represent Defendant Robert Russo.

Dated: Lake Success, New York  
August 12, 2021

**MILMAN LABUDA LAW GROUP PLLC**

\_\_\_\_\_/s\_\_\_\_\_  
Joseph M. Labuda, Esq.  
Emanuel Kataev, Esq.  
3000 Marcus Avenue, Suite 3W8  
Lake Success, NY 11042-1073  
(516) 328-8899 (office)  
(516) 328-0082 (facsimile)  
joe@mllaborlaw.com  
emanuel@mllaborlaw.com

*Attorneys for Defendants  
The Russo's Payroll Group, Inc.  
Frank Russo, Jr., and  
Giuseppe Vacca*

**VIA ECF**

Stoll, Glickman & Bellina, LLP  
Attn: Rita A. Sethi, Esq.  
300 Cadman Plaza West, 12th Floor  
Brooklyn, NY 11201-2701  
rsethi@stollglickman.com

**VIA ECF**

Hon. Cheryl L. Pollak, U.S.M.J.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, Room 1230  
Brooklyn, NY 11201-1804